



| AMENDMENT TRANSMITTAL LETTER | | | | Docket No. 20342/1202653-US3 | |
|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------|-----------------------------------------|-----------------------------------|---------------------------------|------|
| Application No. 10/758,417-Conf. #5644 | Filing Date January 16, 2004 | Examiner S. Wang | Art Unit 1617 | | |
| Applicant(s): Beth A. Burnside et al. | | | | | |
| Invention: ORAL PULSED DOSE DRUG DELIVERY SYSTEM | | | | | |
| TO THE COMMISSIONER FOR PATENTS | | | | | |
| Transmitted herewith is an amendment in the above-identified application. | | | | | |
| The fee has been calculated and is transmitted as shown below. | | | | | |
| CLAIMS AS AMENDED | | | | | |
| | Claims Remaining After Amendment | Highest Number Previously Paid | Number Extra Claims Present | Rate | |
| Total Claims | 74 78 | - 78 = | 0 | x 50.00 | 0.00 |
| Independent Claims | 7 | - 7 = | 0 | x 200.00 | 0.00 |
| Multiple Dependent Claims (check if applicable) <input type="checkbox"/> | | | | | |
| Other fee (please specify): | | | | | |
| TOTAL ADDITIONAL FEE FOR THIS AMENDMENT: | | | | | 0.00 |
| <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity | | | | | |
| <input checked="" type="checkbox"/> No additional fee is required for this amendment. | | | | | |
| <input type="checkbox"/> Please charge Deposit Account No. _____ in the amount of \$ _____. | | | | | |
| <input type="checkbox"/> A check in the amount of \$ _____ to cover the filing fee is enclosed. | | | | | |
| <input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached. | | | | | |
| <input checked="" type="checkbox"/> The Director is hereby authorized to charge and credit Deposit Account No. <u>04-0100</u> as described below. | | | | | |
| <input checked="" type="checkbox"/> Credit any overpayment. | | | | | |
| <input checked="" type="checkbox"/> Charge any additional filing or application processing fees required under 37 CFR 1.16 and 1.17. | | | | | |
| <div>Robert Schaffer Attorney/Agent Reg. No.: 31,194</div> | | | | Dated: <u>October 11, 2006</u> | |
| DARBY & DARBY P.C. P.O. Box 5257 New York, New York 10150-5257 (212) 527-7766 | | | | | |



Docket No.: 20342/1202653-US3
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Beth BURNSIDE et al.

Application No.: 10/758,417

Confirmation No.: 5644

Filed: January 16, 2004

Art Unit: 1617

For: ORAL PULSED DOSE DRUG DELIVERY
SYSTEM

Examiner: Shengjun WANG

SECOND PRELIMINARY AMENDMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INTRODUCTION

A substitute specification under 37 C.F.R. 1.125 is filed concurrently with this Second Preliminary Amendment. The instant application is a continuation of U.S. Patent Application Serial No. 10/172,705 (abandoned), which is a continuation of U.S. Patent Application Serial No. 09/807,462 (now U.S. Patent No. 6,605,300). The contents of the '462 application are incorporated by reference into the instant application (*see* specification as filed, first paragraph). Inadvertently, the specification as filed did not include the entire contents of the '462 specification. The substitute specification corrects this inadvertent mistake.

A marked-up copy and a clean copy of the substitute specification are provided pursuant to 37 C.F.R. §§ 1.121(b)(3) and 1.125. Line numbers have been added to the substitute specification to facilitate locating passages. The page and line numbers listed in this amendment refer to the marked-up substitute specification unless otherwise specified.

A Supplementary Information Disclosure Statement is filed concurrently herewith providing a copy of an Amendment after Final Rejection, filed April 21, 2003 in the '462 application, which is cited herein.

Prior to examination on the merits, please amend the above-identified U.S. patent application as follows.

Amendments to the specification begin on page 3 of this paper.

A Listing of the claims begins on page 4 of this paper.

Remarks begin on page 16 of this paper.